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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Robert J. Peach, et al. **Examiner:** Not Yet Known  
**Serial No.:** 09/865,321 **Group Art Unit:** 1646  
**Filed:** May 23, 2001 **Docket No.:** 30436.57USU1  
**Title:** SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 18, 2002.

  
By: Tracy Truick

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b)(3))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- U.S. Patent No. 5,434,131, July 18, 1995. (Exhibit 58)
- U.S. Patent No. 5,770,197, June 23, 1998. (Exhibit 59)
- U.S. Patent No. 6,132,992, October 17, 2000. (Exhibit 60)
- U.S. Patent No. 6,090,914, July 18, 2000. (Exhibit 61)
- U.S. Patent No. 5,916,560, June 29, 1999. (Exhibit 62)
- U.S. Patent No. 5,993,800, November 30, 1999. (Exhibit 63)
- Foreign App. No. WO 97/34,633, September 25, 1997. (Exhibit 64)

This statement should be considered because it is submitted before the mailing date of the first Office Action on the merits of §1.97(b)(3). In accordance with 37 C.F.R. §1.98(d), copies of Exhibits 58-64 as set forth in the Form 1449 are included herewith.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that the references have been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. § 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement.  
However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

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By: 

Name: Tracy Truick

35 N. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
January 18, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Supplemental Information Disclosure Statement (37 C.F.R. §1.97(b)(3))
- ☒ Form 1449 (Information Disclosure Statement)
- ☒ Exhibits 58-64
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

**MANDEL & ADRIANO**

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EDRM 1449\*  
JAN 29 2002  
PATENT & TRADEMARK OFFICE

(Use several sheets if necessary)

30436.57USU1

09/865,321

Robert J. Peach et al.

May 23, 2001

1646

| U.S. PATENT DOCUMENTS |                        |          |                  |       |              |                               |
|-----------------------|------------------------|----------|------------------|-------|--------------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NO.           | DATE     | NAME             | CLASS | SUBCLAS<br>S | FILING DATE<br>IF APPROPRIATE |
|                       | 5,434,131 (Exhibit 58) | 7/18-95  | Linsley, et al.  |       |              | 5/26/93                       |
|                       | 5,770,197 (Exhibit 59) | 6/23/98  | Linsley, et al.  |       |              | 1/22/93                       |
|                       | 6,132,992 (Exhibit 60) | 5/5/95   | Ledbetter et al. |       |              | 10/17/00                      |
|                       | 6,090,914 (Exhibit 61) | 7/18/00  | Linsley, et al.  |       |              | 4/15/94                       |
|                       | 5,916,560 (Exhibit 62) | 6/29/99  | Larsen et al.    |       |              | 3/20/97                       |
|                       | 5,993,800 (Exhibit 63) | 11/30/99 | Linsley, et al.  |       |              | 6/6/95                        |

|  | DOCUMENT NO.              | DATE    | COUNTRY | CLASS | SUBCLAS<br>S | TRANSLATION |    |
|--|---------------------------|---------|---------|-------|--------------|-------------|----|
|  |                           |         |         |       |              | YES         | NO |
|  | WO 97/34,633 (Exhibit 64) | 3/20/97 | PCT     |       |              |             | X  |
|  |                           |         |         |       |              |             |    |

[illegible]

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

\*Substitute Disclosure Statement Form (PTO-1449) Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE